**TKHR****THOMAS, KAYDEN, HORSTEMEYER & RISLEY, L.L.P.**

ATTORNEYS AT LAW

100 Galleria Parkway, NW
Suite 1750
Atlanta, GA 30339-5948
Telephone: (770) 933-9500
Facsimile: (770) 951-0933
www.tkhr.com

Jeff Kuester
(770) 933-9500, ext. 246

E-mail: jeff.kuester@tkhr.com

FACSIMILE TRANSMISSION

October 11, 2005

[190250-1700]

TO
Mail Stop Issue Fee
FAX: 571-273-2885

FROM
Jeff Kuester
FAX: 770-951-0933

TEL:**TEL: 770-933-9500, Ext. 208****RE: Issue Fee****Message:**

Issue Fee Transmittal
Credit Card Authorization - Authorizing \$1700.00
(specifically - \$1400 for issue fee; \$300 for publication fee)
Comments on Statement of Reason for Allowance

Number of Pages (Including This Cover Sheet): - 6 - Page(s)
PLEASE ACKNOWLEDGE SAFE AND CLEAR RECEIPT OF ALL PAGES.

CONFIDENTIAL

The information in this facsimile message is legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or reproduction of this communication is strictly prohibited. If you have received this facsimile in error, please notify us by telephone and return the original message to us at the address above via the United States Postal Service. Thank you.

INTERNATIONAL PATENT, TRADEMARK AND COPYRIGHT LAW AND RELATED LITIGATION

Huntsville, Alabama

Atlanta, Georgia



PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Inventor: Parker

Serial No.: 10/735,101

Filed: December 12, 2003

Confirmation No.: 1895

Group Art Unit: 2645

Examiner: Smith, Creighton H.

Docket No.: 190250-1700

For: EFFICIENCY REPORT INCORPORATING COMMUNICATION SWITCH STATISTIC

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The Examiner has made statements in the Statement of Reasons for Allowance that may be viewed as an oversimplification of the examination issues, and if taken out of context, could give rise to an improper interpretation of the claims as well as the file history. For these reasons, Applicant provides the following comments to ensure proper interpretation of the claims and history.

While Applicant agrees with the Examiner that the stated reasons for allowance of the claims are indeed valid grounds for allowance, Applicant wishes to clarify for the record that the stated reasons may be viewed as an oversimplification of the issues. Along these lines, first, Applicant does *not* admit that the stated reasons for allowance are the only reasons for allowance, and Applicant contends that the allowance and scope of these claims are in fact *not* limited to the Examiner's stated reasons for allowance. Second, each allowed claim has a different combination of elements, which distinguish each claim from the references of record, and consequently, each claim should be analyzed separately for infringement and validity. 35 U.S.C.

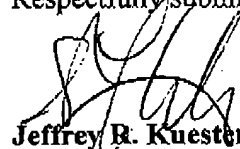
Serial No.: 10/735,101
Art Unit: 2645

288. In other words, all of the claims do not stand or fall together, especially and particularly based upon the stated reasons for allowance.

Additionally, Applicant would like to affirm the examiner's amendment as directed by Jeff Kuester through a phone call by Benjamin Balser.

If the Examiner disagrees with any of Applicant's comments herein, Applicant respectfully requests that the Examiner further clarify the record. Otherwise, it should be assumed that the above discussion is an accurate characterization of the file history and interpretation of the claims.

Respectfully submitted,



Jeffrey R. Kuester, Reg. No. 34,367
Attorney for Applicant

Date: 10-11-05

Docket: 190250-1700

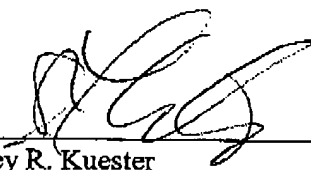
**THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.**
100 Galleria Parkway, Suite 1750
Atlanta, Georgia 30339-5948
Telephone: (770) 933-9500



CERTIFICATE OF FACSIMILE TRANSMISSION
UNDER 37 CFR §1.8

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted on the date indicated below via facsimile to the United States Patent and Trademark Office, facsimile number (571)-273-2885.

Date:

10-11-05

Jeffrey R. KuesterIn re application of: **Parker**

Confirmation No.: 1895

U.S. Serial Number: 10/735,101

Art Unit: 2645

Filing Date: **December 12, 2003**Examiner: **Smith, Creighton H.**

Our Reference Number: 190250-1700

Title: **Efficiency Report Incorporating Communication Switch Statistic****Issue Fee Transmittal****Credit Card Authorization - Authorizing \$1700.00****(specifically - \$1400 for issue fee; \$300 for publication fee)****Comments on Statement of Reason for Allowance**